

**REMARKS**

Claims 1-3 are all the claims pending in the application. By this Amendment, Applicants amend the claims to better conform them to U.S. patent practice.

***Specification Objection***

The title of the invention is objected to as allegedly being non-descriptive. In view of the new title being submitted herewith, Applicants respectfully request withdrawal of this Specification Objection.

***Claim Objections***

Claim 3 is objected to due to a minor informality. In view of the self-explanatory amendment to claim 3, Applicants respectfully request withdrawal of the claim objection.

***Claim Rejections - 35 U.S.C. § 112***

Claims 2 and 3 are rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. Applicants submit that claims 2 and 3 comply with the requirements of 35 U.S.C. § 112. Accordingly, withdrawal of the 35 U.S.C. § 112 rejection is respectfully requested.

***Claim Rejections - 35 U.S.C. § 102***

Claims 1-3 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Konno *et al.* (U.S. Publication No. 2002/0176352, “Konno”). For *at least* the following reasons, Applicants respectfully traverse the rejection.

Applicants respectfully submit that claim 1 is not anticipated by Konno. For example, claim 1 relates to a recording medium playback apparatus. The recording medium playback apparatus comprises, *inter alia*, a main body, a clamp unit, a movable frame, a lock unit, and a

clamp lock/unlock unit. The clamp unit clamps a recording medium to be received in the main body and rotates the recording medium. The movable frame supports the clamp unit. The lock unit is movable between a lock position, in which the movable frame is locked to the main body, and an unlock position, in which the movable frame is made movable against the main body. The clamp lock/unlock unit limits to unlock clamping by the clamp unit when the lock unit is positioned in the unlock position, and allows to unlock clamping by the clamp unit when the lock unit is positioned in the lock position.

In the Office Action, it is alleged that the “housing of apparatus” discloses the claimed main body, and a spring 35 in Konno’s FIG. 3 discloses the claimed lock unit (Office Action, page 3, last paragraph). Applicants respectfully disagree.

For example, as noted above, the claimed lock unit (e.g., component 70 in a non-limiting embodiment of the claimed invention illustrated in FIG. 41B) is movable between a lock position, in which the clamp unit (e.g., component 67 in the non-limiting embodiment illustrated in FIG. 41B) is locked against the main body, and an unlock position, in which the clamp unit is made movable against the main body. On the other hand, Konno’s spring 35 is arranged between a movable member 34 and an upper surface of a rotating motor 32 and pushes the movable member 34 upwardly (Konno, paragraph [0044]). There is no disclosure in Konno that this spring 35 is movable between a lock position and an unlock position, as claimed. Therefore, Konno does not anticipate claim 1.

Further, Konno does not disclose that the clamp lock/unlock unit (e.g., component 71 in the non-limiting embodiment illustrated in FIG. 41B) limits to unlock the clamp unit when the lock unit is positioned in the unlock position, and allows to unlock the clamp unit when the lock unit is positioned in the lock position. That is, the combination of the operating member 18 and

the operation lever 26 which allegedly discloses the claimed clamp lock/unlock unit does not serve to limit to unlock the clamp mechanism 30 (allegedly the claimed clamp unit) when the spring 35 (alleged lock unit) is positioned in the lock system. For this additional reason, Applicants submit that Konno cannot anticipate claim 1.

In view of the foregoing, Applicants respectfully request withdrawal of the 35 U.S.C. § 102(b) rejection of claim 1.

Claims 2 and 3 are patentable *at least* by virtue of their dependency. Moreover, claims 2 and 3 are patentable for reasons in addition to their dependency.

For example, with respect to claim 2, the Examiner contends that the claimed cutout is disclosed by Konno's aforementioned operating member 18. Applicants respectfully disagree.

For instance, claim 2 recites that the cutout is cut from an end of the pick-up unit, close to the turntable, to an inner edge of the pick-up unit (allegedly disclosed by Konno's pickup 13 in FIG. 1). However, Konno fails to disclose or suggest any relationship between its operating member 18 and the pickup 13. Therefore, Konno cannot anticipate the claimed cutout of claim 2.

In addition, claim 2 recites that the clamp lock/unlock unit comprises a rotating member provided rotatably on the main body to move one end portion of the rotating member between a position, in which the one end portion is located inside the cutout of the pick-up unit positioned in the playback position, and another position, in which the one end portion is located outside the cutout of the pick-up unit positioned in the playback position. The rotating member is biased so as to move the one end portion thereof toward the turntable.

The Examiner contends that Konno's movable member 34 discloses the claimed rotating member. This is incorrect, because Konno's movable member 34 is a component of the clamp

unit 30 and thus, cannot disclose the rotating member 91. For this additional reason, claim 2 is not anticipated by Konno.

With respect to claim 3, the Examiner contends that the claimed movable member (e.g., component 74 in the non-limiting embodiment illustrated in FIG. 41B) is disclosed by the engaging portion 55 of Konno. Applicants note that in claim 3, it is recited that the movable member is provided movably along a direction perpendicular to a surface of the turntable and biased to move toward the turntable. In Konno, the movable member 34 corresponds closest to this claimed movable member, and the chuck claw 36 of Konno corresponds closest to the claimed extract/retract member (e.g., clamp hook 75 in the non-limiting embodiment illustrated in FIG. 41B). Under this proper context, Konno's engaging protrusion 55 corresponds closest to a part of the chuck claw 36. In view of this correspondence, Applicants submit that Konno cannot anticipate claim 3.

Specifically, claim 3 recites that the other end portion of the claimed rotating member is provided with a second insert portion to penetrate between the turntable and the movable member when the pick-up unit moves from the playback position to the unclamp position. Here, Konno's operation lever 26 corresponds closest to the claimed second insert portion 92, but this operation lever does not allow for Konno's movable member 34 to penetrate between a turntable and the movable member 34 when the pickup 13 moves from the playback position to the unclamp position, as required by claim 3. Accordingly, claim 3 is not anticipated by Konno.


### ***Conclusion***

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

  
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